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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,019	12/14/2001	Satheesh Kumar Krishnamoorthy	ROC920010284US1	7834
7590	07/19/2005		EXAMINER	
Gero G. McClellan Moser, Patterson & Sheridan, L.L.P. 3040 Post Oak Boulevard, Suite 1500 Houston, TX 77056-6582			PHAN, TAM T	
			ART UNIT	PAPER NUMBER
			2144	

DATE MAILED: 07/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/017,019	KRISHNAMOORTHY, SATHEESH KUMAR	
	Examiner Tam (Jenny) Phan	Art Unit 2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 02 June 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-6,8-10,12,14-23 and 25-29 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-6,8-10,12,14-23 and 25-29 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 14 December 2001 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

1. Amendment received on 06/02/2005 has been entered. Claims 1, 5-6, 10, 15, 21, 27-29 are currently amended. Claims 7,11, 13, and 24 are cancelled.
2. Claims 1-6,8-10,12,14-23 and 25-29 are presented for examination.

Priority

3. No priority claims have been made.
4. The effective filing date for the subject matter defined in the pending claims in this application is 12/14/2001.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-6,8-10,12,14-23 and 25-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahlberg et al. (U.S. Patent Number 6,587,836), hereinafter referred to as Ahlberg, in view of Itabashi et al. (U.S. Patent Number 6,308,203), hereinafter referred to as Itabashi.

7. Regarding claim 1, Ahlberg disclosed a method of providing entitlement services information to users (Title, Abstract, column 2 lines 16-32), comprising: receiving a request for entitlement services information for a particular user (column 3 lines 28-30, column 3 line 61-column 4 line 12); and in response to receiving the request, accessing a common entitlement services information repository (column 3 lines 32-38, column 13

line 65-column 14 line 20); wherein the common entitlement services information repository associates entitlement services with products to which the entitlement services attach and with users of the products (column 6 lines 3-11, column 21 lines 24-36, column 29 lines 1-13) and providing the first application with entitlement services information for the particular user; and passing the entitlement services information for the particular user from the first application to a second application (column 3 lines 14-37, column 15 lines 34-52).

8. Ahlberg taught the invention substantially as claimed. However, Ahlberg did not expressly teach a method of providing entitlement services information to users wherein each of at least a portion of the plurality of users is associated with at least two products.

9. Ahlberg suggested exploration of art and/or provided a reason to modify the method of providing entitlement services information with additional feature such as associating at least a portion of the plurality of users with a plurality of products (column 3 lines 14-30, column 6 lines 24-32, column 28 lines 48-57).

10. Itabashi disclosed a method of providing entitlement services information to users wherein each of at least a portion of the plurality of users is associated with at least two products (Figures 5 and 7, column 1 lines 20-42, column 2 lines 5-13, column 3 lines 64-11, column 13 lines 49-55).

11. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the method of Ahlberg with the teachings of Itabashi to associate at least a portion of the plurality of users with a plurality of products in order to purchase disparate products and services via a single security profile (Ahlberg, column

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3 lines 31-37) since when accessing two or more service or information providers to acquire plural products, the user must submit his or her personal information to each of these providers every time he or she places an order which resulted in time-wasting and error-prone operation (Itabashi, column 1 lines 26-33).

12. Regarding claim 2, Ahlberg disclosed a method wherein the common entitlement services information repository associates a combination of an entitlement service, a product and a user with a geographic region (Abstract, column 3 lines 14-31, column 6 lines 24-32, column 26 lines 47-61).

13. Regarding claim 3, Ahlberg and Itabashi combined disclose a method wherein the at least two products comprise at least one hardware product and at least one software product (Ahlberg, column 21 lines 24-36, column 28 lines 48-57; Itabashi, column 1 lines 20-33).

14. Regarding claim 4, Ahlberg disclosed a method wherein the request is issued by a Web based application (Abstract, Figures 2 and 4).

15. Regarding claim 5, Ahlberg disclosed a method wherein the request is issued by the first application invoked by the particular user browsing a Web site (Abstract, Figures 2 and 4, column 3 lines 14-37).

16. Regarding claim 6, Ahlberg disclosed a method wherein the first application is configured to provide support for only a portion of a plurality of entitlement services represented in the common entitlement services information repository (column 14 lines 2-20).

17. Regarding claim 8, Ahlberg disclosed a method further comprising populating the common entitlement services information repository with entitlement services data

contained in a plurality of entitlement services databases each of which are specific to a particular product (column 6 lines 8-11, column 19 lines 49-59, column 26 lines 47-61).

18. Regarding claim 9, Ahlberg disclosed a method wherein populating comprises associating a combination of an entitlement service, a product and a user with a geographic region (Abstract, column 3 lines 14-31, column 6 lines 24-32, column 26 lines 47-61).

19. Regarding claim 10, Ahlberg and Itabashi combined disclose an entitlement services system, comprising: a common entitlement services information system comprising a repository associating entitlement services with products to which the entitlement services attach and with users of the products (Ahlberg, column 3 lines 28-38, column 3 line 61-column 4 line 12, column 6 lines 3-11, column 13 line 65-column 14 line 20); wherein each of at least a portion of the plurality of users is associated with at least two products (Itabashi, Figures 5 and 7, column 1 lines 20-42, column 2 lines 5-13, column 3 lines 64-11, column 13 lines 49-55) and at least one server hosting a plurality of applications each configured to issue requests to the common entitlement services information system for entitlement services information and each configured to pass the entitlement services information between one another (Ahlberg , column 3 lines 14-37, column 15 lines 34-52).

20. Regarding claim 12, Ahlberg disclosed a system wherein the repository associates a combination of an entitlement service, a product and a user with a geographic region (Abstract, column 3 lines 14-31, column 6 lines 24-32, column 26 lines 47-61).

21. Regarding claim 14, Ahlberg and Itabashi disclosed a system wherein the at least two products comprise at least one hardware product and at least one software product (Ahlberg, column 21 lines 24-36, column 28 lines 48-57; Itabashi, column 1 lines 20-33).

22. Regarding claim 15, Ahlberg disclosed a system wherein each of the plurality of applications is configured to provide support for only a portion of a plurality of entitlement services represented in the repository (column 14 lines 2-20, column 15 lines 35-52, column 19 lines 49-59).

23. Regarding claim 16, Ahlberg disclosed a system further comprising a web server hosting a Web service providing an interface to each of the plurality of applications (Abstract, Figures 2, 4-7, column 3 line 61-column 4 line 14).

24. Regarding claim 17, Ahlberg disclosed a system wherein the plurality of applications are invoked by browser requests (Abstract, Figures 2 and 4, column 3 lines 14-37).

25. Regarding claim 18, Ahlberg disclosed a system further comprising a plurality of entitlement services databases from which entitlement services information is replicated to the common entitlement services information repository (column 3 lines 47-53, column 29 lines 47-50).

26. Regarding claim 19, Ahlberg disclosed a system wherein each of the plurality of entitlement services databases is specific to a particular product (column 6 lines 8-11, column 19 lines 49-59, column 26 lines 47-61).

27. Regarding claim 20, Ahlberg disclosed a system wherein each of the plurality of entitlement services databases is specific to a particular geographic region (column 3 lines 47-53, column 14 lines 2-20, column 26 lines 47-61).

28. Regarding claim 21, Ahlberg and Itabashi combined disclose an entitlement services system, comprising: (a) a common entitlement services information system, comprising: a repository associating entitlement services with products to which the entitlement services attach and with users of the products (Ahlberg, column 6 lines 3-11, column 21 lines 24-36, column 29 lines 1-13); wherein each of at least a portion of the plurality of users is associated with at least two products (Itabashi, Figures 5 and 7, column 1 lines 20-42, column 2 lines 5-13, column 3 lines 64-11, column 13 lines 49-55); and an access control software component configured to access the repository in response to entitlement services information requests (Ahlberg, Abstract, Figures 2 and 4, column 3 lines 14-37); (b) at least one server executing a plurality of Web based applications configured to issue the entitlement services information requests (Ahlberg, column 14 lines 2-20, column 15 lines 35-52, column 19 lines 49-59), wherein the plurality of applications are each configured to pass the entitlement services information between one another (Ahlberg, column 3 lines 14-37, column 8 lines 7-13, column 15 lines 34-52); (c) a web server hosting a Web service providing an interface to each of the plurality of applications (Ahlberg, Abstract, Figures 2, 4-7, column 3 line 61-column 4 line 14) and (d) a plurality of entitlement services databases from which entitlement services information is replicated to the common entitlement services information repository (Ahlberg, column 3 lines 47-53, column 29 lines 47-50).

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29. Regarding claim 22, Ahlberg disclosed a system wherein each of the plurality of applications is configured to provide support for only a portion of a plurality of entitlement services represented in the repository (column 14 lines 2-20, column 15 lines 35-52, column 19 lines 49-59).

30. Regarding claim 23, Ahlberg disclosed a system wherein the plurality of applications are invoked by browser requests (Abstract, Figures 2 and 4, column 3 lines 14-37).

31. Regarding claim 25, Ahlberg disclosed a system wherein the repository associates a combination of an entitlement service, a product and a user with a geographic region (Abstract, column 3 lines 14-31, column 6 lines 24-32, column 26 lines 47-61).

32. Regarding claim 26, Ahlberg and Itabashi disclosed a system wherein the at least two products comprise at least one hardware product and at least one software product (Ahlberg, column 21 lines 24-36, column 28 lines 48-57; Itabashi, column 1 lines 20-33).

33. Regarding claim 27, Ahlberg disclosed a system wherein entitlement services information is replicated to the common entitlement services information repository from the plurality of entitlement services databases via a plurality of adaptors (column 3 lines 47-53, column 29 lines 47-50).

34. Regarding claim 28, Ahlberg disclosed a system wherein each of the plurality of entitlement services databases is specific to a particular product (column 6 lines 8-11, column 19 lines 49-59, column 26 lines 47-61).

35. Regarding claim 29, Ahlberg disclosed a system wherein each of the plurality of entitlement services databases is specific to a particular geographic region (column 3 lines 47-53, column 14 lines 2-20, column 26 lines 47-61).

36. Since all the limitations of the claimed invention were disclosed by the combination of Ahlberg and Itabashi, claims 1-6,8-10,12,14-23 and 25-29 are rejected.

Response to Arguments

37. Applicant's arguments filed 06/02/2005 have been fully considered but they are not persuasive.

38. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the Examiner has provided proper suggestions or motivations and reasons for combining the two references wherein these teachings, suggestions, or motivations are found in the references themselves as detailed in the rejection above.

39. In response to applicant's argument that the entitlement service disclosed is defined as "a privilege or authorization that a customer has" and "is akin to access levels in UNIX which are granted when a customer belongs to certain user groups", the fact that applicant has recognized another advantage which would flow naturally from following the suggestion of the prior art cannot be the basis for patentability when the

differences would otherwise be obvious. See *Ex parte Obiaya*, 227 USPQ 58, 60 (Bd. Pat. App. & Inter. 1985). Applicant further argued that in the present invention, entitlement services information refers to agreements related to products and includes maintenance agreements, services agreement and the like and thus Ahlberg does not disclose a method of providing entitlement services information for users. The examiner respectfully disagrees. Although Ahlberg disclosed "Another example of a service provided by the StarOE is retrieving an application entitlement list for a given customer. As described briefly above, an entitlement describes a privilege or authorization that a customer has. It is akin to the access levels in UNIX which are granted when a customer belongs to certain user groups. It describes what applications a customer may access" (column 20 lines 53-61), however, it is submitted that this is one example of the many embodiments that Ahlberg disclosed. In another embodiment, Ahlberg disclosed "The client browser application uses the authentication and entitlement information associated with the customer and applies the authentication information in validating the customer before enabling the customer to access the enterprise Intranet. The client browser application enables the customer to access only those application services to which the customer is entitled. An order entry object initiated via the client browser application is also included for enabling presentation of entry options for the customer, the entry options including adding a new order entry, modifying an existing order entry, and canceling an order entry. The order entry object further communicates customer entry of a specific entry option to the order entry server, thus allowing the customer to enter new orders, modify existing orders, and cancel orders for the application services within the customer entitlements via the integrated interface" (column 4 lines 8-23).

Thus, it should be obvious that the entitlement service is associated with the users and their purchased service applications.

40. In response to applicant's argument that Ahlberg does not disclose a method of providing entitlement services information to users, a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. In a claim drawn to a process of making, the intended use must result in a manipulative difference as compared to the prior art. See *In re Casey*, 370 F.2d 576, 152 USPQ 235 (CCPA 1967) and *In re Otto*, 312 F.2d 937, 939, 136 USPQ 458, 459 (CCPA 1963).

41. In response to applicant's argument that Ahlberg does not teach having at least one server hosting a plurality of applications or having a plurality of applications each configured to pass entitlement services information between one another, the Examiner respectfully disagrees. Ahlberg disclosed in Figure 6, Backend Application Servers for hosting a plurality of applications (Figure 6 sign 208). Ahlberg further disclosed "The present invention also handles the security and authentication requests from both the client and the server side of the applications implementing the suite of products and services. In this way, a single security profile may be maintained for a given customer, the security profile being included in a centralized database servicing the suite of disparate products and services" (column 3 lines 31-38), "The use of a set of common objects for implementing the various functions provided by the system of the present invention, and particularly the use of browser based objects to launch applications and

pass data there between is more fully described in the above-referenced" (column 8 lines 7-13) and "A typical process flow logic for StarOE client application starts with the home page launching the StarOE client and passing a reference to a common user information object" (column 15 lines 35-37). Thus, it should be obvious that entitlement services are passed between applications.

42. As the rejection reads, Examiner asserts that the combination of these teachings render the claimed invention obvious.

Conclusion

43. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

44. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Refer to the enclosed PTO-892 for details.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tam (Jenny) Phan whose telephone number is (571) 272-3930. The examiner can normally be reached on M-F 9:00-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MARC D. THOMPSON
MARC THOMPSON
PRIMARY EXAMINER

Tam T. Phan
July 15, 2005

tp